



Governor  
Janet Napolitano

**ARIZONA BOARD OF OSTEOPATHIC EXAMINERS  
IN MEDICINE AND SURGERY**  
9535 EAST DOUBLETREE RANCH ROAD  
SCOTTSDALE, ARIZONA 85258-5539  
(480) 657-7703 \* FAX (480) 657-7715  
[www.azosteoboard.org](http://www.azosteoboard.org)

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**Executive Director**  
Jack Confer

March 6, 2007

**VIA REGULAR MAIL**

Marvin A. Borsand, D.O., F.A.C.O.S.  
2255 North Scottsdale Road  
Scottsdale, AZ 85257

RE: Letter of Concern, Case No. 3574M

Dear Dr. Borsand,

At their meeting on March 3, 2007, the Arizona Board of Osteopathic Examiners in Medicine and Surgery ("Board") conducted a review of the above-referenced complaint. Based on the information presented, the Board found there was insufficient evidence to conclude that your conduct constituted unprofessional conduct or to support direct action against your license. However, the Board voted to issue you this advisory LETTER OF CONCERN pursuant to the provisions of A.R.S. 32-1855 (D) (2). The Board was concerned that you may have failed to adequately follow up on an abnormal mammogram and the surgical technique exhibited in the record which could ultimately lead to violations of A.R.S. § 32-1854 (6) and (38) which state:

(6) Engaging in the practice of medicine in a manner that harms or may harm a patient or that the board determines falls below the community standard; and,

(34) Any conduct or practice that endangers a patient's or the public's health or may reasonably be expected to do so.

This Letter of Concern is a non-disciplinary action that remains part of the public record of your license for five years from the date of issuance (March 6, 2007). During those years it will be provided in response to requests for copies of your license file or verifications of license status, including being posted on the Board's website. It also may be cited in future actions against your license. Because it is not a disciplinary action, it is not reported to the National Practitioner Data Base or Health Care Integrity and Protection Databank. Based on the information presented, the Board found that there were no violations of state law or rule directly related to the complaint.

Please contact me with any questions, comments or concerns. Thank you.

Respectfully,

  
Jack Confer  
Executive Director

JC/s

Copy: Paul J. Giancola, Esquire  
Complainant  
File